

031504 16523 U.S. PTO

EV215462296US

March 15, 2004

INTELLECTUAL PROPERTY DEPARTMENT  
HUNTON & WILLIAMS LLP  
1900 K STREET, N.W.  
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500  
FAX 202 • 778 • 2201

NANCY J. FLINT  
DIRECT DIAL: (305) 810-2522  
EMAIL: NFLINT@HUNTON.COM

FILE NO: 63130.000009

17497 U.S. PTO  
10/802074  
031504

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: 63130.000009  
First Named Inventor: Dimiter L. Kotzev  
Title: Acrylic Esters of 2-Cyano-2, 4 Pentenedioic Acid  
Customer No. 21967

TO: MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

- 1. ☒ Fee Transmittal Form (original and duplicate)
- 2. ☐ Small Entity Status Claimed: ☐ Independent Inventor  
☐ Small Business Concern  
☐ Non-Profit Organization
- ☐ Statement Enclosed
- ☒ Statement Filed in Prior Application; Status Still Proper and Desired
- 3. ☒ Specification - Total Pages: 21

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CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	25	20	5	\$ 18.00	\$ 9.00	\$ 45.00
Independent Claims	7	3	4	\$ 86.00	\$ 43.00	\$ 172.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$ 0.00
<b>BASIC FEE</b>				\$ 770.00	\$ 385.00	\$ 385.00
<b>TOTAL FILING FEE</b>						\$ 602.00
Assignment Recordation Fee						\$ 0.00
<b>TOTAL AMOUNT</b>						\$ 0.00

4. ☒ Drawings - Total Sheets: 5 (Fig(s). 1-5)
5. Oath or Declaration - Total Pages: 2
- a. ☐ Newly executed (original or copy)  
☐ New (unexecuted)
- b. ☒ Copy from a prior application  
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(s):  
Signed statement attached deleting inventor(s) named in prior application.
6. ☐ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (two copies); or

**MAIL STOP PATENT APPLICATION**

March 15, 2004

Page 3

- ii. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies
9. ☐ Assignee/Applicant: \_\_\_\_\_  
\_\_\_\_\_
- ☐ Assignment and Assignment Recordation Form Submitted Herewith
- ☒ Assignee of Record in Prior Application No. 09/131,275 :  
Chemence, Inc.  
recorded on 05/07/99 at Reel 9934, Frame 0847.
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement with PTO-1449 and References
- ☐ Copies of Information Disclosure Statement Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard
15. ☒ Priority is Claimed as Follows:  
Great Britain 9606328.4 03/26/1996  
\_\_\_\_\_
- ☒ Claim Benefit of the Following U.S. Provisional Application No(s).:  
60/055,791 08/15/1997  
\_\_\_\_\_
- ☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith
16. ☐ Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.

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17. ☒ Other: Serial No. Assignment Postcard; Copy of concurrently filed  
Petition to Revive Unintentionally Abandoned U.S. Application No.  
09/131,275

18. ☒ Continuation ☐ Divisional ☐ Continuation-in-Part of  
Prior Application No.: 09/131,275 filed August 10, 1998

Prior application information: Examiner F. Zitomer Group Art Unit 1713

☒ Incorporation By Reference (useable if Box 5b is marked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application papers.

☐ Complete Application Based on Provisional Application No.: \_\_\_\_\_  
filed \_\_\_\_\_

19. Please address all correspondence to:

☒ CUSTOMER NUMBER **21967**

**Thomas J. Scott, Jr., Esq.**  
Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109

20. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:

☐ The power of attorney is to: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Scott D. Balderston, Reg. No. 35,436; Carl L. Benson, Reg. No. 38,378; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Thomas D. Bradshaw, Reg. No. 51,492; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No.

**MAIL STOP PATENT APPLICATION**

March 15, 2004

Page 5

40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Dinnatia J. Doster, Reg. No. 45,268; Kevin T. Duncan, Reg. No. 41,495; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; Charles F. Hollis, III, Reg. No. 40,650; David M. Huntley, Reg. No. 40,309; Nancy J. Jensen, Reg. No. 45,913; Betsy L. Johnson, Reg. No. 55,305; Laba Karki, Reg. No. 55,317; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Steven P. Klocinski, Reg. No. 39,251; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Matthew J. Pryor, Reg. No. 45,278; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Henry C. Su, Reg. No. 37,738; Rodger L. Tate, Reg. No. 27,399; Raphael A. Valencia, Reg. No. 43,216; René Vazquez, Reg. No. 38,647; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

☐ Please remove as power of attorney: Scott D. Balderston, Reg. No. 35,436; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Robin C. Clark, Reg. No. 40,956; Dinnatia J. Doster, Reg. No. 45,268; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; David M. Huntley, Reg. No. 40,309; Steven P. Klocinski, Reg. No. 39,251; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Matthew J. Pryor, Reg. No. 45,278; Stuart I. Smith, Reg. No. 42,159; Henry C. Su, Reg. No. 37,738; Raphael A. Valencia, Reg. No. 43,216; and René Vazquez, Reg. No. 38,647.

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**MAIL STOP PATENT APPLICATION**

March 15, 2004

Page 6

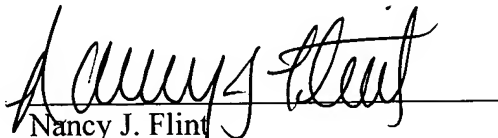
Bradshaw, Reg. No. 51,492; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; Betsy L. Johnson, Reg. No. 55,305; Laba Karki, Reg. No. 55,317; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

21. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.

Respectfully submitted,

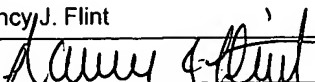
By:



Nancy J. Flint

Registration No. 46,704

NJF/kmb  
Enclosures

<b>FEE TRANSMITTAL</b>  <b>MAIL STOP PATENT APPLICATION</b>		<i>Complete If Known</i>																																							
		Application No.		Not Assigned																																					
		Filing Date		March 15, 2004																																					
		First Named Inventor		KOTZEV																																					
		Examiner Name		Not Assigned																																					
		Group Art Unit		Not Assigned																																					
Total Amount Of Payment (\$)		602.00		Attorney Docket No.		63130.000009																																			
<b>METHOD OF PAYMENT (check one)</b>				<b>FEE CALCULATION (continued)</b>																																					
1. <input checked="" type="checkbox"/> The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to <b>Deposit Account No. 50-0206</b> in the name of <b>Hunton &amp; Williams LLP</b> .				3. <b>ADDITIONAL FEES</b>																																					
				<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr><td><input type="checkbox"/> Surcharge - late filing fee or oath</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> _____ Month Extension of Time</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Notice of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Brief in Support of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Design Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Plant Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Commissioner</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unavoidable)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unintentional)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petitions Related to Provisional Applications</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Submission After Final Rejection</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Request for Reexamination</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Other (specify) _____</td><td style="text-align: right;">\$</td></tr> </table>				Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> _____ Month Extension of Time	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petition to Commissioner	\$	<input type="checkbox"/> Petition to Revive (Unavoidable)	\$	<input type="checkbox"/> Petition to Revive (Unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$
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2. <input type="checkbox"/> Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to <b>Deposit Account No. 50-0206</b> in the name of <b>Hunton &amp; Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109</b> .																																									
<b>FEE CALCULATION</b>																																									
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Plant Filing Fee		\$																																							
Reissue Filing Fee		\$																																							
Provisional Filing Fee		\$																																							
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SUBMITTED BY						Complete (if applicable)																																			
Typed or Printed Name		Nancy J. Flint				Registration No.	46,704																																		
Signature						Date	March 15, 2004																																		

EV215462282US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Dimiter L. KOTZEV	Group Art Unit:	1713
Application No.:	09/131,275	Examiner:	Fred Zitomer
Filed:	August 10, 1998	Att'y Dkt. No.:	63130.000009
		Confirmation No.:	7540

Title: ACRYLIC ESTERS OF 2-CYANO-2, 4 PENTENEDIOIC ACID

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Official Action, dated July 16, 2002, by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

Applicant respectfully petitions for revival of the above-identified patent application. In order to obtain a grantable petition, the applicant is submitting the required items which are listed below.

- 1) Petition Fee in the amount of \$665.00 as set forth under 37 C.F.R. § 1.17(m);
- 2) A concurrently filed Continuation Application pursuant to 37 C.F.R. § 1.53(b), a copy of which transmittal letter is attached; and



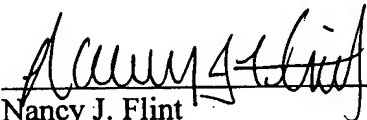
3) STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and § 1.17 associated with this communication or credit any overpayment to the deposit account of Hunton & Williams, Deposit Account Number 50-0206.

Respectfully submitted,

Dated: March 15, 2004

By:

  
Nancy J. Flint  
Registration No. 46,704

HUNTON & WILLIAMS LLP  
Intellectual Property Department  
1900 K Street, N.W.  
Suite 1200  
Washington, D.C. 20006-1109  
(305) 810-2522 (telephone)  
(305) 810-2460 (facsimile)